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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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DELPHI TECHNOLOGIES, INC.  
M/C 480-410-202  
PO BOX 5052  
TROY, MI 48007

EXAMINER

KERN, MATTHEW C

ART UNIT PAPER NUMBER

2654

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/075,980	MOODY ET AL.	
	Examiner	Art Unit	
	Kern Matthew	2654	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 4 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.                                                             | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Response to Amendment*

1. In response to the office action from 1/10/ 2005, the applicant has submitted an amendment, filed 4/1/05, canceling claim 4, amending claims 1,8,16, adding claims 22 and 23, and arguing for the allowance of the amended claims.

### *Response to Arguments*

Applicant's arguments with respect to claims 1,8,16, and 22-23 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 and 5-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ali-Yrkko (US patent 6,256,611), and further in view of Ross et al (US 5,859,628).

As per claim 1, Ali Yrkko teaches providing speech navigation of a voice mail system, comprising the steps of:

- providing a speech navigation system including a processor (DSP, col 3, line 57), a wireless communication device coupled to said processor (GSM operator, col 3, line

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62, implies a wireless device hooked up to the processor), and a memory subsystem coupled to the processor (memory circuits, col 3, lines 57-58);

- inputting a plurality of predetermined voice commands from said external computer system wherein each said predetermined voice command has at least one associated keypad character (electric control signals corresponding to the command words in a terminal, col 1, lines 50-51, where the electric control signal is a DTMF tone that is emitted when a keypad character is depressed, col 1, line 65-67);
- storing said predetermined voice commands in said memory subsystem (command word and the corresponding control signal are stored, col 1, lines 62-63);
- establishing a communication link between the wireless communication device of said speech navigation system and a voice mail system (voice mailbox offered by GSM operators, col 3, lines 62-63, and calling a service number, col 3, line 64, implies establishing a link);
- providing a user voice command to the speech navigation system (receiving speech from a user, col 1, lines 52-53), corresponding to one of said predetermined voice commands (command vocabulary, col 2, lines 1-2); and
- providing a telephone dialing tone (DTMF) from the speech navigation system to the voice mail system, where the telephone dialing tone corresponds to the at least one associated keypad character of the voice command ( "...the DTMF tones according to that control signal are sent to the voice mailbox just as the user would enter the number sequence by pressing individual buttons." col 4, lines 8-11) .

Ali-Yrkko teaches a digital signal processor (col 3, line 57). Ali-Yrkko does not teach an external computer system coupled to the processor remotely from said wireless communication device. Ross et al, however, teach a PDA that is coupled to a processor remotely (PDA → Processor, figure 4, elements 102→316 →104 →402→404). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to have the processor in Ali-Yrkko (which is linked remotely to a GSM voice mailbox) coupled to a PDA, as taught by Ross et al, so that the PDA could be used, using voice commands, to access the voice mailbox using the GSM link.

As per claim 2, Ali-Yrkko discloses a telephone dialing tone that is a DTMF tone ( “In the vocabulary a control signal corresponds to the word, and DTMF tones according to that control signal are sent to the voice mailbox...” col 4, lines 8-10)

As per claims 3, Ali-Yrkko teaches number sequences (col 3, lines 63-65), key presses being replaced by voice commands. Neither Ali-Yrkko nor Ross et al. teach using \* and #. However, the examiner takes Official Notice that it is old and well-known in the art for voice mail systems to also use the keypad symbols \* and # to navigate and perform functions in their voice mail systems. Therefore, it would have been obvious for one of ordinary skill at the time of invention to have Ali-Yrkko and Ross’ system allow a user to also use \* and # to allow for a wider number of functions to be selected with just a single number or symbol (as opposed to selecting a function using a string of numbers eg. 1234).

As per claim 5, Ali-Yrkko teaches a speech navigation system where the wireless device is one of a mobile telephone and a cellular telephone (mobile communications device, col 4, line 7)

As per claim 6, Ali-Yrkko teaches a voice mail system that performs a function associated with the telephone dialing tone (listen #1, next #2, previous #3, save #4, delete #5", col 4, lines 20-29).

As per claim 7, neither Ali-Yrkko nor Ross teach changing from a voice command to a speech recognition mode while maintaining the communication link between the speech navigation system and the voice mail system. However, the examiner takes Official Notice that it is old and notoriously well-known to switch from voice commands to a dictation mode in a speech recognition system. Therefore, it would have been obvious for one of ordinary skill at the time of invention to have Ali-Yrkko and Ross do this while maintaining the communications link between cellular phone and voice message system so that the user would not have to hang-up and redial the voice mail number after sending a text message.

As per claim 8, Ali-Yrkko teaches a speech navigation system for communicating with a voice mail system with:

- a wireless communication device for establishing a communication link with the voice mail system ( see the rejection of claim 4 above).

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- a processor coupled to the wireless communication device ( "In an embodiment of the invention the speech recognizer is realized using a digital signal processor and memory circuits." col 2, lines 28-30).
- a memory subsystem coupled to the processor, the memory subsystem storing a plurality of voice commands and a plurality of keypad characters, where at least one of the plurality of keypad characters are each associated with one of the plurality of voice commands ( "The speech recognizer 40, which is known per se, is typically realized using essentially a digital signal processor (DSP) and memory circuits" col 3, lines 55-58 and "...and the command word and the corresponding control signal are stored." respectively. col 1, lines 61-62 )
- a voice input circuit coupled to the processor for receiving a voice command from a user, where the processor (col2, lines 28-30) is configured to associate a received voice command with at least one of the plurality of keypad characters(col 4, lines 5-11) and cause the wireless communications device to provide a corresponding telephone dialing tone to the voice mail system via the communications link(col 4, lines 5-11).

Ali-Yrkko does not teach an external computer system operable for inputting a plurality of voice commands. Ross et al, however, teach this (PDA, col 9, lines 10, and audio input and for voice commands, col 9, line 28). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to have Ali-Yrkko have the PDA of Ross et al so that the user could use the PDA hands-free while driving by using voice commands.

Further, Ali-Yrkko teach a digital signal processor (col 3, line 57). Ali-Yrkko does not teach an external computer system coupled to the processor remotely from said wireless communication device. Ross et al, however, teach a PDA that is coupled to a processor remotely (PDA → Processor, figure 4, elements 102→316 →104 →402→404). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to have the processor in Ali-Yrkko (which is linked remotely to a GSM voice mailbox) to a PDA, as taught by Ross et al, so that the PDA could be used, using voice commands, to access the voice mailbox using the GSM link.

As per claim 9, Ali-Yrkko discloses a telephone dialing tone that is a DTMF tone ( “In the vocabulary a control signal corresponds to the word, and DTMF tones according to that control signal are sent to the voice mailbox...” col 4, lines 8-10)

As per claim 10, Ali-Yrkko teaches number sequences (col 3, lines 63-65), key presses being replaced by voice commands. Neither Ali-Yrkko nor Ross et al. teach using \* and #. However, the examiner takes Official Notice that it is old and well-known in the art for voice mail systems to also use the keypad symbols \* and # to navigate and perform functions in their voice mail systems. Therefore, it would have been obvious for one of ordinary skill at the time of invention to have Ali-Yrkko and Ross' system allow a user to also use \* and # to allow for a wider number of functions to be selected with just a single number or symbol (as opposed to selecting a function using a string of numbers eg. 1234).



As per claim 11, Ali-Yrkko teaches a speech navigation system where the wireless device is one of a mobile telephone and a cellular telephone (mobile communications device, col 4, line 7)

As per claim 12, Ali-Yrkko teaches a voice mail system that performs a function associated with the telephone dialing tone (listen #1, next #2, previous #3, save #4, delete #5", col 4, lines 20-29).

As per claim 13, neither Ali-Yrkko nor Ross teach a manual switch coupled to the processor that allows the navigation system to toggle from a voice mode to a speech recognition mode. However, the examiner takes Official Notice that it is old and well-known in the art for a user to transfer back-and-forth between a dictation mode and a command mode in speech recognition systems by uttering a change word. Furthermore, the examiner takes Official Notice that it is old and well-known in the art to accomplish this toggling by not only uttering a voice command, but also by depressing a manual switch. Therefore, it would have been obvious for one of ordinary skill at the time of invention to include a button in Ali-Yrkko and Ross' system to include a toggling switch so that a user would not have to remember a noun or verb phrase, code or something else to toggle his unit—he could just depress one simple button.

As per claim 14, neither Ali-Yrkko nor Ross teach a speech navigation system that transitions from a voice-command mode to a speech recognition mode upon

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receiving a first predetermined voice command and transitions back to the voice mode upon receiving a second predetermined voice command. However, the examiner takes Official Notice that it is old and notoriously well-known for a user to transfer back-and-forth between a dictation mode and a command mode in speech recognition systems by uttering a change word. Therefore, it would have been obvious for one of ordinary skill at the time of invention to include this type of functionality in Ali-Yrkko and Ross' system so that the user, instead of having to remember a push-button code to enter, could simply say a command word to go from voice mode to a speech recognition mode for sending text messages. This would make it easier for the user to operate the system.

The rest of the limitations were discussed in connection with the rejection of claim 13 above.

As per claim 15, neither Ali-Yrkko nor Ross teach using a single the same word for the user to speak to transfer from voice mode to speech mode, and vice-versa. However, the examiner takes Official Notice that is old and well-known that in order to simply voice mail systems, a user uses just one word to toggle between two different modes/functional states. Therefore, it would have been obvious for one of ordinary skill at the time of invention to include this single-word predetermined control capability in Ali-Yrkko and Ross' system so that the user would not have to remember a number of words to toggle between operating modes-he could remember just one, thus reducing the chance that he forgets what word to use to navigate through the voice mail system.

As per claim 16, Ali Yrkko teaches a speech navigation system for communicating with a voice mail system, specifically using GSM (col 3, lines 63-65). Ali-Yrkko does not teach this type of system found in an automobile. However, Ross implies an automobile (vehicle, col 10, lines 24, gas stations, col 10, lines 30, and US highway system, col 10, line 38). Therefore, it would have been obvious for one of ordinary skill at the time of invention to include in Ali-Yrkko's system in a car, as taught by Ross et al, so that in addition to obtaining construction sites and weather reports that would aid with driving, the drive could also gain access to his voice mail while leaving his hands free to drive the car.

The rest of the limitations were discussed in connection with the rejection of claims 8, 9, and 12 above.

As per claim 17, it is rejected for reasons given when this limitation was discussed in connection with the rejection of claim 10 above.

As per claim 18, neither Ali-Yrkko nor Ross et al. teach a manual switch coupled to the processor that allows the navigation system to toggle from a voice command mode to a speech recognition mode. However, the examiner takes Official Notice that it is old and well-known in the art for a user to transfer back-and -forth between a dictation mode and a command mode in speech recognition systems by uttering a change word. Furthermore, the examiner takes Official Notice that it is old and well-known in the art to accomplish this toggling by not only uttering a voice command, but also by depressing a

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manual switch. Therefore, it would have been obvious for one of ordinary skill at the time of invention to include a button in Ali-Yrkko and Ross' system to include a toggling switch so that a user would not have to remember a noun or verb phrase, code or something else to toggle his unit—he could just depress one simple button.

As per claim 19, neither Ali-Yrkko nor Ross et al. teach a speech navigation system that transitions from a voice-command mode to a speech recognition mode upon receiving a first predetermined voice command and transitions back to the voice mode upon receiving a second predetermined voice command. However, the examiner takes Official Notice that it is old and notoriously well-known for a user to transfer back-and-forth between a dictation mode and a command mode in speech recognition systems by uttering a change word. Therefore, it would have been obvious for one of ordinary skill at the time of invention to include this type of functionality in Ali-Yrkko and Ross' system so that the user, instead of having to remember a push-button code to enter, could simply say a command word to go from voice mode to a speech recognition mode for sending text messages. This would make it easier for the user to operate the system.

The rest of the limitations were discussed in connection with the rejection of claim 13 above.

As per claim 20, neither Ali-Yrkko nor Ross et al. teach using a single same word for the user to speak to transfer from voice mode to speech mode, and vice-versa.

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However, the examiner takes Official Notice that is old and well-known that in order to simply voice mail systems, a user uses just one word to toggle between two different modes/functional states. Therefore, it would have been obvious for one of ordinary skill at the time of invention to include this single-word predetermined control capability in Ali-Yrkko and Ross' system so that the user would not have to remember a number of words to toggle between operating modes-he could remember just one, thus reducing the chance that he forgets what word to use to navigate through the voice mail system.

As per claim 21, Ali-Yrkko teaches a speech navigation system where the wireless device is one of a mobile telephone and a cellular telephone (mobile communications device, col 4, line 7)

As per claims 22 and 23, Ali-Yrkko does not teach wherein said external system is a PDA. However, Ross et al. teach this (PDA, figure 4, element 102). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to have Ali-Yrrko's processor interface with a PDA since a user would like to access her PDA to perform a task while driving a car, such as check her voice mailbox.

### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### **Conclusion**

3. Any inquiry concerning this communication should be directed to Mr. Matthew Kern, whose telephone number is (571) 272-7606 or fax number (571) 273-7606. The examiner can normally be reached Mondays-Fridays from 9:30 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Talivaldis Smits, can be reached at (571) 272-7628. The facsimile phone number for this Technology Center is (571) 273-8300.

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Any inquiry of a general nature of relating to the status of this application should be directed to the Technology Center 2600 receptionist, whose telephone number is (571) 272-2600.



**RICHEMOND DORVIL**  
SUPERVISORY PATENT EXAMINER

9/07/05

MCK